

MICHAEL CHARTAN
DIRECT DIAL: +1 212 692 1016
PERSONAL FAX: +1 212 253 4271
E-MAIL: mlchartan@duanemorris.com
www.duanemorris.com

May 14, 2013

VIA FACSIMILE (212) 805-7986

Judge Paul G. Gardephe
Thurgood Marshall
United States Courthouse
40 Foley Square, Chambers 2204
Courtroom 705
New York, NY 10007

**Re: Lockheed Martin Corporation, et al. v. MTA, et al.
Civil Action No.: 09 Civ. 04077 (PGG)**

Dear Judge Gardephe:

Our firm represents plaintiff Lockheed Martin Corporation ("Lockheed Martin") in the above referenced litigation. We are submitting this joint letter for two reasons. The first is to thank Your Honor for adopting the proposed schedule submitted by counsel for the parties. The second is to respectfully ask that the start of trial be April 28, 2014 instead of April 14, 2014.

Passover starts the evening of Monday, April 14, 2014 with the first seder and concludes the evening of Tuesday, April 22, 2014. The start of trial on April 14, 2014 affects a number of attorneys for all parties. Counsel for all parties have conferred and jointly request that trial start on Monday, April 28, 2014.

Thank you for considering our request.

Respectfully submitted,

Michael Chartan

Michael Chartan

MC:ag

cc: Ira J. Lipton, Esq. - via email
Adam P. Friedman, Esq. - via email

DUANE MORRIS LLP

1540 BROADWAY NEW YORK, NY 10036-4086
DM1\3866253.1

FIRM and AFFILIATE OFFICES
NEW YORK
LONDON
SINGAPORE
PHILADELPHIA
CHICAGO
WASHINGTON, DC
SAN FRANCISCO
PALO ALTO
SAN DIEGO
BOSTON
HOUSTON
LOS ANGELES
HANOI
HO CHI MINH CITY
ATLANTA
BALTIMORE
WILMINGTON
MIAMI
PITTSBURGH
NEWARK
LAS VEGAS
CHERRY HILL
BOCA RATON
LAKE TAHOE

MEXICO CITY
ALLIANCE WITH
MIRANDA & ESTAVILLO

Duane Morris*

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: <u>5/17/13</u>

IN THE END

The Application is granted.

SO ORDERED:

Paul G. Gardephe
Paul G. Gardephe, U.S.D.J.

Dated May 16, 2013